

## **AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

### **LISTING OF CLAIMS:**

1. (withdrawn-currently amended): A method for selecting an *Escherichia coli* strain which highly expresses ~~an~~ a phenylalanine ammonia lyase gene, ~~exogenous gene~~, comprising selection using the intensity of stress response as an index.
2. (withdrawn): The selection method according to claim 1, wherein the stress response is hydrogen peroxide decomposition activity.
3. (withdrawn and currently amended): The selection method according to claim 1, wherein the strain to be selected is one where ~~an~~ a phenylalanine ammonia lyase gene ~~exogenous gene~~ whose expression tends to decrease by causes other than loss or mutation of a plasmid when introduced into an *Escherichia coli* is highly expressed.
4. (currently amended): An *Escherichia coli* selection strain which expresses ~~an exogenous gene~~ a phenylalanine ammonia lyase gene, the strain being selected using hydrogen peroxide decomposition activity as a stress response index wherein the stress response index of said *E. coli* selection strain is greater than about 1.0.
5. (canceled).
6. (currently amended): The *Escherichia coli* selection strain according to claim 4, wherein the ~~exogenous gene~~ phenylalanine ammonia lyase gene is a gene whose expression tends to decrease by causes other than loss or mutation of the plasmid when introduced into an *Escherichia coli* other than said selection strain.

7. (currently amended): The *Escherichia coli* selection strain according to claim 4, wherein the initial amount of said ~~exogenous gene~~ phenylalanine ammonia lyase gene expression is maintained or enhanced during subculture.

8. (canceled).

9. (canceled).

10. (currently amended): The *Escherichia coli* selection strain according to claim 96, wherein the phenylalanine ammonia lyase gene is derived from a plant.

11. (previously presented): The *Escherichia coli* selection strain according to claim 10, wherein the plant is *Lithospermum erythrorhizon*.

12. (previously presented): The *Escherichia coli* selection strain according to claim 4, wherein the *Escherichia coli* selection strain is derived from K12 strain.

13. (previously presented): The *Escherichia coli* selection strain according to claim 12, wherein the *Escherichia coli* selection strain is derived from XL1-Blue strain.

14. (canceled).

15. (canceled).

16. (original): *Escherichia coli* SD840 strain (Deposit No. FERM BP-08546).

17. (withdrawn-currently amended): A process for producing an enzyme, comprising expressing the phenylalanine ammonia lyase gene ~~exogenous gene~~ of the *Escherichia coli* strain which highly expresses the phenylalanine ammonia lyase gene ~~exogenous gene~~ according to claim 4.

18. (withdrawn-currently amended): A process for producing a compound, comprising reacting a treating solution containing the *Escherichia coli* strain which highly expresses the phenylalanine ammonia lyase gene ~~exogenous gene~~ according to claim 4 or an enzyme thereby produced with a substrate of the enzyme.

19. (withdrawn-currently amended): The process for producing a compound according to claim 18, wherein ~~the enzyme is an ammonia lyase~~, the substrate is an unsaturated carboxylic acid, and the resulting compound is an L-amino acid and/or its derivatives.